

REMARKS

Claims 1-32 and 34-46 remain in the case, claims 47-48 are herein cancelled without prejudice, and new claim 49 is added. Favorable reconsideration of the above-identified application in view of the foregoing amendments and following remarks is respectfully requested.

Claim Rejections - 35 USC § 102:

Claims 1-7, 9-12, 14-18, 20-26, 28, 31-32, 34-39 and 42-46 are rejected as being anticipated by Falciglia, U.S. Patent 5,935,002.

Independent claims 1, 22, 32 and 46 are amended to include the additional limitation of the mechanical representation (at 16) being a mechanical "award representation." The award representation in Falciglia '002 is shown at (21) and is a video representation, not mechanical.

Consequently, claims 1-7, 9-12, 14-18, 20-26, 28, 31-32, 34-39 and 42-46 of the present invention are not anticipated by Falciglia '002 under U.S.C. 102(b).

Claim Rejections - 35 USC § 103:

Claims 8, 27, 40 and 41 are rejected under 35 U.S.C. §103(a) as being unpatentable over Falciglia, U.S. Patent 5,935,002 and in view of that allegedly known to be obvious to one of ordinary skill in the art.

Claims 13, 19 and 30 are rejected under 35 U.S.C. §103(a) as being unpatentable over Falciglia, U.S. Patent 5,935,002 and in view of Lind, U.S. Patent Publication 2004/0176169.

Because the base claims are patentable, the dependent claims 8, 27, 40 & 41 and dependent claims 13, 19 & 30 are non-obvious and patentable. If an independent claim is non-obvious under 35 U.S.C. § 103, then any claim depending therefrom is non-obvious, In re Fine, 837 F.2d 1071, 5USPQ2d 1596 (Fed. Cir. 1988).

Summary:

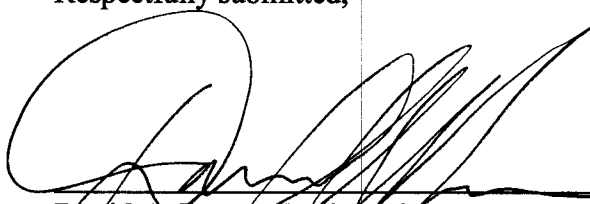
Please remove the finality of the previous Final Office Action with acceptance of the accompanied RCE fee, and reconsider claims 1-32 and 34-46, and new claim 49 in view of the above amendments and remarks.

A marked-up copy of the claim amendments is attached to facilitate examination. Additions are underlined and deletions are bracketed.

If it is determined that any fees are due, the Commissioner is hereby authorized and respectfully requested to charge such fees to Deposit Account No. 08-2789.

Respectfully submitted,

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Date


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